

# United States District Court

# FILED

NORTHERN DISTRICT OF OHIO, WESTERN DIVISION

05 AUG 18 AM 1:56

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
TOLEDO

UNITED STATES OF AMERICA

V.

Christopher Turley  
W/M, DOB: 04-03-1975

## CRIMINAL COMPLAINT

CASE NUMBER **3:05 MJ 7136**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or 3/2003 to 12/03/2004 in Wood County, in the Northern District of Ohio defendant(s) did, (Text Statutory Language of Offense)  
**Conspire to manufacture methamphetamine**

in violation of Title 21 United States Code, 846

I further state that I am a(n) DEA Task Force Agent and that this complaint is based on the following facts: See Attached Affidavit  
Official Title

Continued on the attached sheet and made a part

Yes  No

  
Signature of Complainant

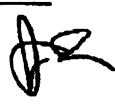
Sworn to before me, and subscribed in my presence,

August 18, 2005  
Date

at Toledo, Ohio  
City and State

U.S. Magistrate Judge, Vernelis Armstrong  
Name and Title of Judicial Officer

  
Signature of Judicial



3:05 MJ 7136 ED

STATE OF OHIO )  
 ) ss: **AFFIDAVIT**  
COUNTY OF LUCAS )

05 AUG 18 AM 1:56

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
TOLEDO

I Michael K. Ackley, being duly sworn, depose and say:

1. I am a Task Force Agent with the Drug Enforcement Administration and a Deputy Sheriff with the Wood County Sheriff Office and have been so employed for over sixteen years. The past 7 years I have been assigned as a narcotics investigator with the Toledo DEA Office and am charged with enforcing the Drug Abuse Prevention and Control Act of 1970 (Title 21, United States Code, Section 802 et seq.) and other duties imposed by law. As part of my training, I have attended a one week long and a two week long drug investigators school, as well as courses in drug interdiction and diversion. I have led numerous drug investigations that have resulted in arrest, indictment, and convictions. I have lead 6 methamphetamine lab investigations over the past two years that have resulted in 16 subjects being indicted.
2. For over the past 18 months, I have been involved with an investigation pertaining to individuals manufacturing and selling methamphetamine, a schedule II controlled substance. This affidavit summarizes the activities of the Christopher TURLEY drug organization during this time period.
3. This information has come from Agents, Officers, along with five co-defendants. Each co-defendant has been interviewed at least twice and they have been fully cooperative in this investigation. The reliability of their statements has been confirmed through outside sources, surveillances, documentation and three successful search warrants, along with the recovery of chemicals and other items used to manufacture methamphetamine.
4. The following is a confirmed list of acts committed by or on behalf of the TURLEY drug organization.
5. TFA Mike Ackley was told by Meijer's Security that on or about the 2<sup>nd</sup> day of September, 2003 an unidentified male driving a red pick-up truck license plate BEJ9015 purchased \$126.00 of lithium batteries from Meijer's in Findlay Ohio. TFA Ackley found out this truck belonged to TURLEY. TFA Ackley was later told by Co-conspirator Christopher Smith that he drove the truck and purchased the lithium batteries for TURLEY. Co-conspirator Smith also stated he purchased lithium batteries from Home Depot and other locations between six and twelve times for Christopher TURLEY. TFA Ackley knows from his training and experience that lithium batteries are a needed ingredient in manufacturing methamphetamine. The batteries are cut open and the lithium is extracted from the batteries.

*Mike Ackley*


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6. TFA Mike Ackley was told by Meijer's Security that on or about the 14<sup>th</sup> day of January, 2004, three males, identified by surveillance camera as being Timothy Rhodes, David Gottschalk and TURLEY, were observed purchasing over 20 boxes of cold pills from Meijer's in Findlay and leaving in a red pick-up truck license BEJ9015. Co-conspirators David GOTTSCHALK and Timothy RHODES each told TFA Ackley that it was them with TURLEY buying the pills and identified themselves and TURLEY on the in store video. TFA Ackley knows from training and experience that cold pill contain Pseudophedrine which is an essential ingredient in manufacturing methamphetamine.
7. TFA Ackley was told by Co-conspirator SMITH that on or about the 1<sup>st</sup> day of March, 2003 continuing through the 15<sup>th</sup> day of November 2004 co-conspirator Smith was purchasing cold pills for and on behalf of TURLEY. TURLEY gave Smith \$500 at a time to purchase the 96 count, 30 mg cold pills (Pseudo ephedrine). On an average day Smith would purchase between 6,000 and 7,000 pills and for the past two years at a minimum of 100,000 cold pills. Co-conspirators Smith, Gerald Pappenfuss and Tim Rhodes all stated they observed and/or participated in counting the pills, dumping them and soaking them with TURLEY at his shop on Mayflower Road. TFA Ackley knows from training and experience that cold pills are bought in large amounts to make large batches of methamphetamine.
8. On or about the 1<sup>st</sup> day of December, 2003 continuing through the 3<sup>rd</sup> day of December, 2004, over 4700 pounds of anhydrous ammonia was stolen. Co-conspirator Smith told TFA Ackley that TURLEY, along with Smith stole the tank and buried the tank in a wooden area down a lane in the 2800 block of Emerson Rd., in Wood County. TURLEY drove his Kenworth Semi tractor with his Custom Engines trailer to a road near Blanchard Valley Co-op in Hancock County. When TURLEY was ready he radioed co-conspirator Smith and had him drive into Blanchard Valley and hook up to the tank and drive the tank to TURLEY's location. TURLEY had Bill Kales 4020 tractor in the trailer. TURLEY used that to pull the tank into the trailer. Both co-conspirator Smith and TURLEY drove to the Emerson Rd., location to bury the tank. Barry Pfahl confirmed to TFA Ackley that TURLEY rented the land that they buried the tank on. TURLEY used his Ford back-hoe at the location and had dug a hole. They took the tank off of the trailer and tried to put it in the hole. The trailer was hidden in the next wooded area to the north. Co-conspirators, Rhodes and Gerald Pappenfuss, told TFA Ackley they were aware of the stolen tank of anhydrous being located in a woods near the defendant's residence. TFA Ackley recovered this tank and trailer and found approximately 500 pounds of the anhydrous ammonia was missing. TFA Ackley knows from training and experience anhydrous ammonia along with the lithium batteries and cold pills are mixed together to manufacture methamphetamine.

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9. TFA Mike Ackley was called by Deputy Bob Hathaway and informed that on or about the 16<sup>th</sup> day of June, 2004 a red extended cab pick-up truck was observed in a field of a dirt portion of Barbour Rd. Upon further investigation by Deputies of the Wood County Sheriff Dept., three large jars containing ephedrine were located at that location. The truck matches the description of the TURLEY's truck previously observed parked at his residence on Mayflower Rd. TFA Ackley took the pills to Ohio BCI office for analysis and found they were 1,974 ephedrine pills. TFA Ackley knows that the ephedrine pills are one of the main ingredients needed to manufacture methamphetamine. TFA Ackley later received information from Gerald Papenfuss that he and TURLEY placed the pills on Barbour Rd., and were hiding them there because TURLEY thought the police were watching him.
10. TFA Ackley was told by co-conspirator Smith that on or about the 1<sup>st</sup> day of March, 2003 continuing through the 1<sup>st</sup> day of December, 2004 he and TURLEY purchased glass jars, liquid fire and other items from Ace Hardware in Postoria, Ohio. They also bought 4 or 5 gallons of the chemical Naphtha at this location. From training and experience TFA Ackley knows that these items are all used to manufacture methamphetamine.
11. Co-conspirator Timothy Rhodes told TFA Ackley that on or about the 1<sup>st</sup> day of April, 2004 continuing through the 31<sup>st</sup> day of May, 2004 he drove 8 ½ hours each way to Hallstead Pennsylvania to a company called Pyrotek to pick up a chemical and glassware for cooking methamphetamine for TURLEY. The total bill for Pyrotek was \$900.00. Rhodes turned over a disk he received of Pyrotek's catalog after making the purchase. Rhodes kept the glassware in his apartment for about one month. TURLEY and co-conspirator Gerald Papenfuss picked up the glassware and took it to TURLEY's and placed it in a silver truck tool box. TURLEY gave Rhodes cash in order to purchase a money order to pay for the items. Papenfuss confirmed this and also turned over a key to the tool box he received from TURLEY they used to store the glassware. TFA Ackley was told by co-conspirators that the glassware was purchased by TURLEY to make methamphetamine a different way than he had been making it. (P2P)
12. Co-conspirator Gerald Papenfuss told TFA Ackley that on or about the 15<sup>th</sup> day of June, 2004, TURLEY along with himself, while riding in Turley's red pick-up truck, dumped off chemicals on Twp. 114 between Twp. 232 and Twp. 229 aka "Rock & Roll" Road, in Hancock County. This was confirmed when a sheriff's deputy located a box with a red hazardous materials tag containing four bottles, two full of liquid, one partially full and the fourth was empty. The tag had Ethylbenzene printed on it and a DOT label as flammable liquid. The tag also indicated that the shipper was RPS. Fed Ex was contacted and it was determined that approximately 45 pounds of Ethylbenzene was shipped to Custom Engines on March 23, 2004. Co-conspirator Rhodes stated he signed for a 55 gallon drum of Benzene at the defendant's shop located on Mayflower Rd. Pappenfuss stated he has observed a 55 gallon drum of Benzene in TURLEY's red barn. On the 13<sup>th</sup> day of December, 2004 during a search warrant the drum of Ethylbenzene was located and seized from the barn located on



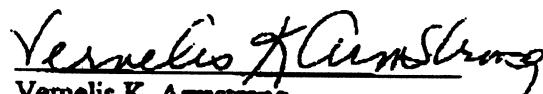
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TURLEY'S property. TFA Ackley knows from speaking with DEA Forensic Chemist, Sandford Angelos that Ethylbenzene is used to make methamphetamine using the Phenyl-2-Propanone (P2P) method. This chemist informed TFA Ackley that this much Ethylbenzene would make well over 200 kilos of P2P. (Methamphetamine)

13. TFA Ackley was told by co-conspirators Gerald Papenfuss and Tim Rhodes, that on or about the 1<sup>st</sup> day of August, 2004 continuing through the 30<sup>th</sup> day of August, 2004 they helped in a methamphetamine cook with TURLEY in the area of Pelton/England Rd., down several lanes in a bean field. A tank of anhydrous, batteries, hose, coolers, jars were taken into the beans by the co-conspirators and TURLEY. After the cook, water was dropped on lithium and a small explosion occurred. This ruined a large section of beans that a farmer, Bob Dibbling owned. A report had been made with a local farm center. This was confirmed by Bob Dibbling and an Agronomist from the Andersons in Fostoria, Ohio.
14. TFA Ackley was informed by all co-conspirators that between the 2<sup>nd</sup> day of September, 2003 continuing through the 30<sup>th</sup> day of November, 2004, they have purchased over 150,000 cold pills on behalf of TURLEY and were paid to do so by TURLEY.
15. TFA Ackley was told by Rhodes and Papenfuss that on or about the 1<sup>st</sup> day of March, 2003 continuing through the 3<sup>rd</sup> day of December, 2004 they have filled numerous propane tanks with anhydrous ammonia for and on behalf of Christopher TURLEY. TFA Ackley learned from co-conspirators that they stole anhydrous ammonia several times for TURLEY prior to himself and Smith stealing the two tons of anhydrous ammonia.
16. Based upon the above, I have probable cause to believe that on or about March 2003 continuing through the 3<sup>rd</sup> day of December 2004, Christopher Turley was involved in the conspiracy to manufacture methamphetamine, in violation of Title 21, United States Code 846.

  
Mike Ackley, Task Force Agent  
Drug Enforcement Administration

Subscribed and sworn before me this 18<sup>th</sup> day of August 2005.

  
Vernelis K. Armstrong  
U.S. Magistrate Judge



05 SEP -8 PM 6:51

NORTHERN DISTRICT OF OHIO  
TOLEDO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

CHRISTOPHER TURLEY,  
Defendant.

I N D I C T M E N T

**3 : 05 CR 786**

CASE NO.

**JUDGE DAVID A. KATZ**

Title 21, U.S.C. § 841(a) (1)  
and (b) (1) (A)

Title 21, U.S.C. § 846

Title 21, U.S.C. § 841(c) (1)

Title 21, U.S.C. § 843(a) (6)  
and (d) (2)

Title 21, U.S.C. § 858

Title 18, U.S.C. § 2

COUNT 1

The Grand Jury charges:

Beginning in or about March 2003, through November 2004,  
the exact dates being unknown to the Grand Jury, in the Northern  
District of Ohio, Western Division, and elsewhere, CHRISTOPHER  
TURLEY, Defendant herein, did knowingly, intentionally and

**ORIGINAL**

*ck*

unlawfully combine, conspire, confederate and agree together and with other persons, both known and unknown to the Grand Jury, to manufacture, distribute, and possess with intent to manufacture or distribute at least 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A) and 846.

COUNT 2

The Grand Jury further charges:

Beginning in or about March 2003, through November 2004, in the Northern District of Ohio, Western Division, and elsewhere, CHRISTOPHER TURLEY, Defendant herein, while aiding and abetting persons known and unknown to the Grand Jury, did knowingly, and intentionally possess Ephedrine and Pseudoephedrine, List I chemicals, with intent to manufacture methamphetamine, a Schedule II controlled substance; in violation of Title 21, United States Code, Section 841 (c)(1), and Title 18, United States Code, Section 2.

COUNT 3

The Grand Jury further charges:

Beginning in or about March 2003, through November 2004, in the Northern District of Ohio, Western Division, and elsewhere,

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CHRISTOPHER TURLEY, Defendant herein, while aiding and abetting persons known and unknown to the Grand Jury, did knowingly, and intentionally possess equipment, chemicals, products, or material which may be used to manufacture methamphetamine, a Schedule II controlled substance, or listed chemicals, knowing or having reasonable cause to believe, that they would be used to manufacture methamphetamine, a Schedule II controlled substance, or a listed chemical, in violation of Title 21, United States Code Sections 843(a)(6) and (d)(2), and Title 18, United States Code, Section 2.

COUNT 4

The Grand Jury further charges:

Beginning on or about December 1, 2003, through December 13, 2004, in the Northern District of Ohio, Western Division, and elsewhere, CHRISTOPHER TURLEY, Defendant herein, did while manufacturing methamphetamine, a Schedule II controlled substance, in violation of Title 21 of the United States Code, or attempting to do so, or transporting or causing to be transported materials, including chemicals, to do so, create a substantial risk of harm to human life, in violation of Title 21, United States Code Section 858.

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.



FILED

2006 OCT 12 PM 2:20

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
TOLEDO

UNITED STATES OF AMERICA.

Case No. 3:05 CR 786

Plaintiff,

-vs-

GENERAL VERDICT

CHRISTOPHER TURLEY,

Defendant.

KATZ, J.

We, the jury, duly impaneled and sworn, find the defendant, Christopher Turley,

**On Count 1 of the indictment** (Conspiracy to manufacture, distribute and possess with intent to manufacture or distribute methamphetamine.):

Count 1

GUILTY

NOT GUILTY

**On Count 2 of the indictment** (Possession of Ephedrine and Pseudoephedrine with intent to manufacture methamphetamine.):

Count 2

GUILTY

NOT GUILTY

**On Count 3 of the indictment** (Unlawful possession of equipment, chemicals, products or materials which may be used to manufacture methamphetamine or listed chemicals.):

Count 3

GUILTY

NOT GUILTY

**On Count 4 of the indictment** (Endangering human life while illegally manufacturing controlled substance or transporting chemicals or materials to do so.):

Count 4

GUILTY

NOT GUILTY



# United States District Court Northern District of Ohio

UNITED STATES OF AMERICA

v.

**Christopher Turley**

**JUDGMENT IN A CRIMINAL CASE**

Case Number: **3:05cr786-01**

USM Number: **43434060**

Konrad Kuczak

Defendant's Attorney

**THE DEFENDANT:**

- pleaded guilty to count(s): \_\_.
- pleaded nolo contendere to counts(s) \_\_ which was accepted by the court.
- was found guilty on count(s) \_\_ after a plea of not guilty.

The defendant is adjudicated guilty of these offense(s):

Title & Section

See next page.

Nature of Offense

Offense Ended

Count

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 NORTHERN DISTRICT OF OHIO  
 TOLEDO

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on counts(s) 1,2,3 & 4 of the Indictment.

Count(s) \_\_ (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States Attorney of material changes in the defendant's economic circumstances.

October 12, 2006

Date of Imposition of Judgment

Signature of Judicial Officer

**DAVID A. KATZ**, United States Senior Judge

Name & Title of Judicial Officer

*10/12/06*

Date

CASE NUMBER: 3:05cr786-01  
DEFENDANT: Christopher Turley

**ADDITIONAL COUNTS OF CONVICTION**

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 USC 841(a)(1) and 846	Conspiracy to manufacture, distribute, and possess with intent to manufacture and distribute methamphetamine	11/2004	1
21 USC 841(c)(1) and 18:2	Unlawful possession of a list 1 chemical with intent to manufacture methamphetamine	11/2004	2
21 USC 843(a)(6) and 18:2	Unlawful possession of equipment, chemicals products or materials with intent to manufacture methamphetamine	11/2004	3
21 USC 858	Endangering human life while illegally manufacturing methamphetamine	11/2004	4